

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SCOTTSDALE INDEMNITY COMPANY,

No. C-04-5019 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

NORTHLAND INSURANCE COMPANY,

Defendant.

Plaintiff having advised the Court that the parties have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing Order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: June 22, 2005

/s/ Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge